## BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: June 15, 2005	Division:	Growth Management
Bulk Item: Yes No _X	Department:Staff Contact Pe	N/Aerson: Timothy J. McGarry
<b>AGENDA ITEM WORDING:</b> Discussion and conceptual approval of a proposed amendment to floodplain regulations to allow for partially enclosed below base flood enclosures of more than 299 square feet subject to specific limitations and annual inspections.		
amendment language to allow for below base flor regulations restrict all downstairs enclosures to on	ood structures of g ly 299 square feet,	meeting, the Board requested the staff to prepare draft reater than 299 square feet. The existing floodplain which was adopted in response to the Implementation impliance agreed to between the Federal Emergency
The purpose of this limitation is to discourage unpermitted improvements and unauthorized use of these downstairs enclosures as the four-year statute of limitations and legal restraints on enforcement of the floodplain regulations make it very difficult for the County to comply with the participation requirements of the National Flood Insurance Program.		
Unfortunately, these strict requirements make it impossible to build large garages to park more than one vehicle. Many property owners would like to be able to park their vehicles and store other large outdoor equipment under roof.		
The proposed amendment would allow downstairs enclosures of greater than 299 square feet subject to the following conditions: 1) only three sides of the enclosure may be fully enclosed with any opaque façade to provide an opening for easy visual inspection of the downstairs enclosure by County personnel; and 2) an easement will be required to be placed on the property that gives County personnel the right to visually inspect the downstairs enclosure at least once a year. A special permit fee to cover the costs of the inspections will be charged.		
At this time the staff is only asking for conceptual approval in order to move forward to prepare the ordinance language and initiate the approval process. This amendment must go through the standard process for amending the Land Development Regulations and approval by FEMA.		
PREVIOUS RELEVANT BOCC ACTION: N/A		
CONTRACT/AGREEMENT CHANGES: N/A		
STAFF RECOMMENDATIONS: Approval No approvals needed.		
TOTAL COST: N/A COST TO COUNTY: N/A	SOUR	GETED: Yes <u>N/A</u> No RCE OF FUNDS: N/A
<b>REVENUE PRODUCING:</b> Yes $N/A$ N	And the second	
APPROVED BY: County Atty X O		Risk Management
DIVISION DIRECTOR APPROVAL:  Timothy T. McGarry, AICP		
DOCUMENTATION: Included X Not Required		
DISPOSITION:		AGENDA ITEM #

Revised 2/05

## PROPOSED AMENDMENT TO FLOODPLAIN REGULATIONS TO ALLOW FOR PARTIALLY ENCLOSED BELOW BASE FLOOD ENCLOSURES GREATER THAN 299 SQUARE FEET

- 1. Section 9.5-317(b)(1)d.(i): Only a maximum of 299 square feet of the space shall be enclosed with opaque materials. Any remaining portion of an enclosed area of more than 299 square feet shall only be enclosed with screen or lattice. The limitation on the maximum of 299 square feet of enclosed space may be exceeded pursuant to (x) below. This limitation shall not apply to parking of aircraft beneath residential building abutting Airport Districts. Areas of 300 square feet or more, enclosed with opaque material existing on the effective date of this ordinance shall be deemed conforming as to the provisions of this paragraph; however, such enclosures shall not be expanded or substantially improved unless they are brought into compliance with this division.
- 2. (New) Section 9.5-317(b)(1)d.(x): The 299 square feet maximum limitation on enclosed space may be exceeded provided that façade walls are constructed on no more than three sides of the exterior perimeter of the building below the elevated floor and the perimeter of at least one exterior wall spanning from the most outer column to the opposite most outer column is left open or enclosed only with lattice or screen. This opening and the configuration of the downstairs enclosure shall be constructed so as to allow for visual inspection of the entire interior of the enclosure from outside the enclosure. Prior to issuance of any building permit for construction of the enclosure, an access easement, approved by the growth management director and county attorney, shall be filed and recorded in the Official Records. This access easement shall grant unrestricted entry on the property to county growth management division personnel during regular business hours to conduct compliance inspections from outside the enclosure. Said compliance inspections shall be conducted at least once per year.

[Please note: Draft language only, requires further staff and legal review.]